

Shared Insights: Collaborative working with patients' solicitors - courts, claims and litigation update

16 June 2020

These insights were shared at our fortnightly online forum for NHS professionals on 16 June 2020. To find out more please visit our [Shared Insights hub](#)

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Karen Reynolds is a partner at Freeths who acts for patients and families and specialises in clinical negligence claims. Karen explained how claimant firms were being affected by the pandemic and what the future may hold for litigation post Covid-19. She shared her thoughts on how NHS Trusts can work collaboratively with patients and their representatives to deal with claims more effectively and efficiently while continuing to recognise the need to keep the injured patient at centre of any dispute or claim.

[Sarah Stork](#), Senior Associate at Browne Jacobson, provided an update on how the courts are dealing with litigation during the Covid 19 pandemic.

The Shared Insights were:

- Many patients' representatives are now on a remote working footing but are operational and "open for business"
- Respectful communication is key in building trust and facilitating open and honest discussions with patients and their representatives
- Use the telephone or other 'video call' platforms
- If writing, take care of the use of language and the tone of your communication
- Be adaptable and innovative
- If investigating a dispute, use remote platforms, for instance with experts conducting 'remote examinations', or discussing matters with clinicians
- In resolution of a claim, consider remote forms of dispute resolution (remote mediation, for example)
- Continue to find a way to work more collaboratively to resolve patient concerns. Always try to narrow the issues and where possible achieve effective resolution of concerns
- Would an early meeting between Trust and Claimant's representatives help?
- To find out more, [click here](#) to read Freeths thoughts on the session and [click here](#) to read about Browne Jacobson's focus on collaborative working

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